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Attorney Docket: 90252  
Date: April 5, 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Art Unit: 3737

KIM

Examiner: Unknown

Appl. No.: 10/614,563

Filed: July 7, 2003

For: **HYDRODYNAMIC SUTURE PASSER**

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

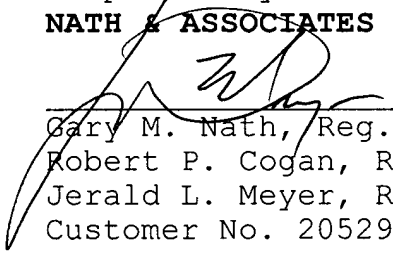
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Information Disclosure Statement;
- 2) PTO Form-1449 with 12 cited References;
- 3) Copies for 3 of the 12 cited References.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

  
\_\_\_\_\_  
Gary M. Nath, Reg. No. 26,965  
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Jerald L. Meyer, Reg. No. 41,194  
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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

[XXX] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[ ] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.

The enclosed statement is accompanied by [check one]:

- [ ] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or  
[ ] ii. a check in the amount required by 37 C.F.R. 1.17(p).

[ ] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113,

or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.

☐ Certification report(e) below; and

☐ a check in the amount as required by 1.17(p).

☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

[XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[ ] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

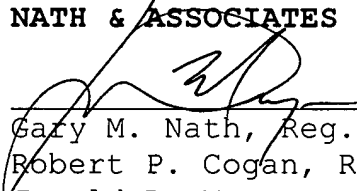
and / or

[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**



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Substitute for FORM PTO-1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	Atty Docket 90252	Serial No. 10/614,563
	Applicant: Andrew C. Kim	
	Filing Date July 7, 2003	Group Art Unit 3737

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number Number-Kind Code	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 3,703,174	11-21-1972	Smith	
		US- 4,935,027	06-19-1990	Yoon	
		US- 6,090,063	07-18-2000	Makower et al.	
		US-2004/0167547A1	08-26-2004	Beane et al.	
		US- 6,440,098	08-27-2002	Luscher	
		US- 6,296,632	10-02-2001	Luscher et al.	
		US- 6,139,520	10-31-2000	McCrory et al.	
		US- 4,935,930	06-12-1984	Child	
		US- 5,350,385	09-27-1994	Christy	
		US-			
		US-			

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY		
		WO2004/034867A3	04-29-2004	Rosch	
		WO2004/098420A2	11-18-2004	Replication Medical, Inc.	
		WO 00/67643	11-06-2000	Naude	

### OTHER (Including Author, Title, Date, Pertinent Pages, etc.)


 Examiner  
Signature

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609.  
 Draw line through citation if not in conformance and not considered.  
 Include copy of this form with next communication to Applicant.